

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

STEVEN WAYNE RUSSELL	§	
VS.	§	CIVIL ACTION NO. 1:14-CV-10
TEXAS DEPARTMENT OF CRIMINAL JUSTICE-CID, <i>et al.</i> ,	§	

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Steven Wayne Russell, an inmate formerly confined at the Mark Stiles Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendant Lieutenant Mecheal Jackson.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends defendant Jackson's motion to dismiss be granted for failure to exhaust administrative remedies or, alternatively, based on the entitlement to qualified immunity.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A Partial Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

So Ordered and Signed

Nov 1, 2017

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge